

April 10, 2007

Attorney General Alberto Gonzales United Stated Department of Justice 950 Pennsylvania Ave, NW Washington, DC 20530

Dear Attorney General Gonzales:

As you know, the Senate Judiciary Committee is investigating the circumstances surrounding the replacement of a number of United States Attorneys last year. One of the central issues in our investigation is whether the Department of Justice or the White House has improperly encouraged United States Attorneys to pursue, or to refrain from pursuing, politically sensitive cases.

We are concerned whether or not politics may have played a role in a case brought by Stephen Biskupic, the United States Attorney based in Milwaukee, against Georgia Thompson, formerly an official in the administration of Wisconsin's Democratic governor. The Seventh Circuit Court of Appeals was reportedly so troubled by the insufficiency of the evidence against Ms. Thompson that it made the unusual decision to issue an order reversing Ms. Thompson's conviction and releasing her from custody immediately after oral arguments in her appeal.

Evidence obtained in the course of the Committee's investigation indicates that voter fraud cases may have played a role in the consideration of Administration officials about whether to dismiss or retain United States Attorneys. Among the documents of former Chief of Staff to the Attorney General D. Kyle Sampson produced by the Department of Justice on March 19, 2007, is an approximately 30 page report concerning alleged voting improprieties in Wisconsin in 2004 (OAG 820-47). According to a press account, this report was prepared at the direction of the executive director of the Wisconsin Republican Party to be delivered to Karl Rove. In addition, White House Counselor Dan Bartlett said on March 12, 2007, that the White House had received complaints that federal prosecutors were not vigorously pursuing complaints of voter fraud in Pennsylvania, New Mexico and Wisconsin. He said the president discussed these concerns with you last October. Mr. Sampson testified on March 29, 2007: "I do remember learning - I believe, from the attorney general - that he had received a complaint from Karl Rove about U.S. attorneys in three jurisdictions, including New Mexico. And the substance of the complaint was that those U.S. attorneys weren't pursuing voter fraud cases aggressively enough." Subsequently, Mr. Sampson added David Iglesias, the United States Attorney from New Mexico, to the list of those to be dismissed.

Given the relevance of these matters to the ongoing investigation by the Senate Committee on the Judiciary, we ask that you provide the following documents to the Committee:

- All documents in the control, custody or possession of the Department of Justice regarding the case against Ms. Thompson or the United States Attorney's handling of that case;
- All communications between the Department of Justice and the White House regarding the case against Ms. Thompson or the United States Attorney's handling of that case;
- All communications between the Department of Justice and any other outside party, including political party officials, regarding the case against Ms. Thompson or the United States Attorney's handling of that case;
- All documents in the control, custody or possession of the Department of Justice regarding possible voter fraud or other election related cases in Wisconsin following the 2004 elections or the United States Attorney's handling of those matters;
- All communications between the Department of Justice and the White House regarding possible voter fraud or other election related cases in Wisconsin following the 2004 elections or the United States Attorney's handling of those matters;
- All communications between the Department of Justice and any other outside party, including political party officials, regarding possible voter fraud or other election related cases in Wisconsin following the 2004 elections or the United States Attorney's handling of those matters; and
- 7. All documents relevant to whether the United States Attorney for the Eastern District of Wisconsin was considered for dismissal and replacement at any time since President Bush's reelection, including any evaluations of his performance by D. Kyle Sampson or other Department of Justice officials.

We ask that you provide the requested documents as early as possible and no later than the close of business on Friday, April 13, 2007.

Sincerely,

Patrick Leahy Chairman Charles E. Schumer United States Senator

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Russell D. Feingold
United States Senator

Herb Kohl United States Senator

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Dianne Feinstein United States Senator Sheldon Whitehouse United States Senator